IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 17809 of 2006

Dated 18th day of September,2006

Between

Nelluri Thrupathaiah and ors.

.....Petitioners

and

Central Power Distribution Company of AP Ltd.,
Rep. By its Chairman and Managing Director,
Red Hills, Hyderabad and anr.

....Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 17809 of 2006

ORDER:

With the consent of the learned Counsel appearing on either side, the Writ Petition itself is being disposed of by this order at this stage.

All the petitioners herein are working as semi-skilled workers on contract basis in the Operation Circle of Central Power Distribution Company of AP Limited, at Nalgonda. They were appointed at various times from 1998 onwards. It is stated that all the petitioners are qualified in ITI and working as such in Operation Circle, Nalgonda. In this Writ Petition, the petitioners have questioned the eligibility criteria notified in the notification dated 25-6-2006 vide Condition No. 7(ii) and (iv).

Condition No. 7(ii) is questioned on the ground that when the entire district is treated as an Unit for the purpose of appointment to the post of lineman, there is no justification for the respondents to restrict eligibility basing on the area of operation worked by an individual. So far as Condition No. 7(iv) is concerned, it is the case of the petitioners that they gained experience and skill in the job, and, as such, they are entitle for weightage marks.

At the same time, It is submitted by the learned Standing Counsel appearing for the respondents that an Operation Circle is the Unit of appointment for the post of Lineman.

Though appointments are made on contract basis, but, however, when the unit of

appointment is a circle, there is no reason or justification by imposing restrictions under condition No. 7(ii) of the notification. With regard to Condition No. 7(iv), it is submitted by the learned Counsel appearing for the respondents, that subsequent to the issuance of notification, the respondents themselves have issued corrigendum on 13-7-2006, giving weightage marks to the experienced candidates.

For the above said reasons, this Writ Petition is disposed of directing the respondents to consider the claim of the petitioners for appointment to the posts of Junior Linemen on contract basis by treating the Operation Circle/District as Unit of appointment, without reference to the restriction imposed under Condition No.7(ii) of the notification, and, further, by giving weightage to the experience as notified in corrigendum published on 13-7-2006. However, it is made clear that such consideration shall be subject to possessing required qualifications and compliance of all other conditions notified for making appointments.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 18-09-2006
Note: CC by tomorrow.
(BO)Msnr.

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